

MINUTES OF THE MEETING OF THE BOARD OF  
TRUSTEES OF THE CITY UNIVERSITY OF NEW YORK

HELD

JANUARY 25, 2010

AT BARUCH COLLEGE VERTICAL CAMPUS  
55 LEXINGTON AVENUE – BOROUGH OF MANHATTAN

The Chairperson called the meeting to order at 4:33 P.M.

There were present:

Benno Schmidt, Chairperson  
Philip Alfonso Berry, Vice Chairperson

Wellington Z. Chen  
Rita DiMartino  
Joseph J. Lhota  
Hugo M. Morales  
Peter S. Pantaleo

Kathleen M. Pesile  
Carol A. Robles-Roman  
Charles A. Shorter  
Jeffrey S. Wiesenfeld

Cory Provost, ex officio

Manfred Philipp, ex officio (non-voting)

Frederick P. Schaffer, General Counsel and Senior Vice Chancellor for Legal Affairs  
Jay Hershenson, Secretary and Senior Vice Chancellor for University Relations  
Hourig Messerlian, Deputy to the Secretary  
Towanda Lewis  
Steven Quinn  
Anthony Vargas

Chancellor Matthew Goldstein  
EVC and University Provost Alexandra Logue  
Executive Vice Chancellor and C.O.O. Allan H. Dobrin  
Interim President Stan Altman  
President Ricardo Fernandez  
President Karen L. Gould  
President Russell K. Hotzler  
President Marcia V. Keizs  
President William P. Kelly  
President Eduardo J. Martí  
President Gail O. Mellow  
President Tomás Morales  
President James L. Muyskens  
Interim President Robert E. Paaswell  
President Antonio Pérez  
President Regina Peruggi  
President William L. Pollard

President Jennifer Raab  
President Felix V. Matos Rodriguez  
President Jeremy Travis  
President Carolyn G. Williams  
Dean Michelle Anderson  
Dean Ann Kirschner  
Dean Kenneth Olden  
Dean Stephen Shepard  
Interim Vice Chancellor Peter Jordan  
Vice Chancellor Pamela Silverblatt  
Interim Senior Vice Chancellor Marc V. Shaw  
Vice Chancellor Gillian Small  
Vice Chancellor Gloriana Waters  
Vice Chancellor Iris Weinshall  
Senior University Dean John Mogulescu  
RF President Richard F. Rothbard

The absence of Trustees Valerie Lancaster Beal, Freida D. Foster, and Sam A. Sutton was excused.

**Chairperson Benno Schmidt** called the meeting to order, and stated that the Board will go into Executive Session to discuss personnel matters after the conclusion of the Public meeting.

**A. VIDEOTAPING OF BOARD MEETING:** **Chairperson Schmidt** announced that as usual **CUNY-TV** is making available this important community service by transmitting the Public Sessions of this afternoon's meeting of the **Board of Trustees** live on cable Channel 75. The meeting is also being webcast live and can be accessed by going to [www.cuny.edu](http://www.cuny.edu). The Public Sessions of this afternoon's Board meeting will be available as a podcast within 24 hours and can be accessed through the **CUNY** website.

**Chairperson Schmidt** stated that on behalf of the Board, he would like to formally welcome **Interim Senior Vice Chancellor for Budget, Finance and Financial Policy Marc Shaw** to this table. **Marc** is no stranger at the table but here in a timely new role. He also welcomed **Matthew Sapienza**, the new **Associate Vice Chancellor for Budget and Finance** to this meeting. Your appointments are truly a stroke of good fortune for all of us. We very much appreciate your expertise and your dedication to the University in these positions.

**Chairperson Schmidt** stated that he would like to announce that **Trustee Frieda Foster** has agreed to serve as the Chair of the **Board of Trustees' Standing Committee on Facilities Planning and Management** and **Trustee Peter Pantaleo** has agreed to serve as the Vice Chair of the Board's Standing **Committee on Fiscal Affairs**. He will also serve as the Chair of the Board's **Subcommittee on Audit**. I want to thank both Trustees for their hard work on behalf of the University.

**Chairperson Schmidt** stated that the Board held its **Manhattan Borough Hearing** on Tuesday, January 19, 2010. **Trustee Frieda Foster** chaired the hearing that was also attended by **Trustees Rita DiMartino, Cory Provost** and **Manfred Philipp**, members of the chancellery as well as **CUNY's** Manhattan college presidents or their representatives. A summary of the proceedings has been circulated to all Trustees and to the Chancellor's cabinet and transcripts are available in the **Office of the Secretary**. The Board's next borough hearing will be held on Tuesday, February 16, 2010 at Brooklyn Borough Hall.

**Chairperson Schmidt** stated that on behalf of my fellow Trustees, I would like to congratulate **Hunter College** for being ranked the number two "Best Value Public College" in the United States for 2010 by the *Princeton Review* and by *USA Today*. This is the second year in a row that **Hunter College** has been ranked among the top ten public colleges in the country. I would also like to congratulate **Hunter College** as well as **Queens College** and **Baruch College** for being named Best Northeastern College by the *Princeton Review*.

**Chairperson Schmidt** stated that on behalf of my fellow Trustees, I want to express my condolences to the family of civil rights leader and former Manhattan Borough President Percy E. Sutton who passed away on December 26th. Percy Sutton was a great friend of this University for more than half a century. He was a principal supporter in the creation of the SEEK Program. Mr. Sutton was a trailblazer who served this country in World War II, who served New York City as a state assemblyman, and who was the first African American and longest serving president of the Borough of Manhattan. He will be deeply missed.

**B. COLLEGE AND FACULTY HONORS:** **Chairperson Schmidt** called on **Trustee Rita DiMartino**, who announced the following:

1. **Baruch College** Professor Edward Rogoff, who is Chair of the Management Department, was named the 2010 Outstanding Entrepreneurship Educator of the Year by the United States Association of Small Business and Entrepreneurship. Congratulations!
2. **CUNY Law School** Professor Maria Arias was appointed to the Family Court. Judge Arias, who has in-depth expertise in issues affecting families and battered women, will preside in Queens County Court over custody, visitation and orders of protection cases. Congratulations!
3. **Brooklyn College** Distinguished Professor of Music and renowned pianist Ursula Oppens was nominated for a 2009 Grammy Award for her album *Oppens Plays Carter* which was released late in 2008. A recently released CD by Prof. David Grubbs, Director of the **Brooklyn College** Performance and Interactive Media Arts MFA

Advanced Certificate Program was ranked # 5 among the top ten "Best of 2009" list compiled by Cambridge visual artist and Harvard Professor Stephen Prina in the December issue of *ArtForum*. Congratulations!

4. **Queens College** M.F.A. Program in Creative Writing and Literary Translation Professor Jeffrey Allen received the 2010 Ernest J. Gaines Award for Literary Excellence for his story collection *Holding Pattern*. The Annual \$10,000 Award Prize recognizes African American writers of excellence. Congratulations!
- C. STUDENT AND ALUMNI HONORS: Chairperson Schmidt** called on **Trustee Kathleen M. Pesile**, who announced the following:
1. Fourteen **CUNY** students were awarded Benjamin A. Gilman International Scholarships for study abroad in spring 2010. They are: Katherine Azcona, Brand Hardyn, Sarah Cao and Antonia Chen from **Baruch College**; Roslyn Gillespie from **Bronx Community College**; Melissa Aristide from **Brooklyn College**; Tehmina Brohi and Regina Delosantos from **City College**; Ain Richardson from the **College of Staten Island**; Laura Benson, Carol Braha, Jared Bunde, Kendra McDuffie and Danny Vera from **Hunter College**. Congratulations to you all!
  2. **John Jay College of Criminal Justice** student Crystal Ferguson won an appointment as a White House intern for the spring semester. Congratulations!
  3. **Medgar Evers College** student Sherine Crawford was awarded an honorable mention for the Perry J. Gehring Diversity Student Travel Award by the Society of Toxicology and will be recognized at their conference in March 2010. Congratulations!
  4. **Hunter College's** Model UN Team of students has won top honor awards in two international debating competitions, one held in Oxford, England and the other at Columbia University; and, **Hunter College** M.F.A. student Kevin T. Allen had his film entitled, *Immokalee, My Home* screened at the Margaret Mead Festival. Congratulations!
  5. **CUNY College of Professional Studies** Student Alyse Zwick just won the Miss New York title and is poised to compete for the Miss America crown soon. Alyse is a Dean's List student who is also the official spokesperson for the United War Veteran's Council of New York City. Congratulations!
- D. GRANTS: Chairperson Schmidt** presented for inclusion in the record the following list of grants and bequests of \$100,000 or above received by the University subsequent to the November 23, 2009 Board meeting.

#### BARUCH COLLEGE

1. \$500,000 **NATIONAL SCIENCE FOUNDATION** to Good, C., for "GSE/RES: GENDER DIFFERENCES."

#### BROOKLYN COLLEGE

1. \$419,847 **NEW YORK STATE DEPARTMENT OF EDUCATION** to Reiser, D. and Romer, N., for "21<sup>st</sup> Century Community Learning Centers – Robenson."
2. \$377,270 **NEW YORK STATE DEPARTMENT OF EDUCATION** to Rosenson, F., for "Workforce Investment Act."
3. \$122,464 **NATIONAL INSTITUTES OF HEALTH (NIH)** to Boutis, G., for "Probing Dynamics of Water in Elastin by Q-Space Imaging and Multiple Quantum NMR."
4. \$101,953 **UNITED STATES DEPARTMENT OF ENERGY** to Cranganu, C., for "Carbon Dioxide Sealing Capacity: Textural or Compositional Controls."

## CITY COLLEGE

1. \$4,434,335 **NEW YORK CITY DEPARTMENT OF ENVIRONMENTAL PROTECTION** to Fillos, J., for "Process Performance and Optimization (R&D) Projects for BNR Upgrades at the Water Pollution Control Plants."
2. \$2,162,250 **UNITED STATES ARMY – TANK AUTOMOTIVE RESEARCH, DEVELOPMENT AND ENGINEERING CENTER** to Delale, F., for "Advanced Lightweight Multi-Threat Composite Armor Technology."
3. \$2,085,000 **UNITED STATES DEPARTMENT OF TRANSPORTATION** to Kamga, C., for "University Transportation Research Center."
4. \$500,000 **UNITED STATES DEPARTMENT OF TRANSPORTATION** to Elvin, N., for "Green Advanced Coatings for Application on Steel Structures and Bridges."
5. \$475,000 **NATIONAL SCIENCE FOUNDATION** to Tamargo, M., Couzis, A., Kowach, G., and Shen, A., for "MRI: Acquisition of a High Resolution X-Ray Diffraction Systems for Materials Research at the City College of New York."
6. \$408,078 **NATIONAL INSTITUTES OF HEALTH** to Weinbaum, S., for "Predicting Cardiovascular Risk in Vulnerable Plaque Rupture."
7. \$300,000 **NEW YORK STATE DEPARTMENT OF TRANSPORTATION** to Kamga, C., for "University Transportation Research."
8. \$296,451 **NATIONAL INSTITUTES OF HEALTH** to Ghose, R., for "Catalytic Domain Dynamics in Protein Kinases."
9. \$290,600 **UNITED STATES DEPARTMENT OF EDUCATION** to Jiji, L., for "Educational Material for an Interdisciplinary Program: Master of Science in Sustainability."
10. \$278,472 **UNITED STATES ENVIRONMENTAL PROTECTION AGENCY** to Vorosmarty, C., for "Impact of Climate Change and Variability on the Nation's Water Quality and Ecosystem State."
11. \$234,400 **NATIONAL SCIENCE FOUNDATION** to Seo, S., Crouse, D., Kim, H., Shen, A., and Voiculescu, I., for "MRI: Acquisition of a Multi-Pocket E-Beam Evaporator for Nano/Micro Facility at CCNY."
12. \$214,109 **UNIVERSITY OF CALIFORNIA/DAVIS** to Sohler, N., for "Colorectal Interactive Multimedia Computer Programs (IMCPs)."
13. \$176,567 **NATIONAL SCIENCE FOUNDATION** to Ro, T., for "Cognitive Neuroscience of Visual Awareness."
14. \$145,401 **NEW YORK CITY DEPARTMENT OF EDUCATION** to Cintron-Nabi, D., for "New York City Teaching Fellows Program Cohort XIV."
15. \$142,215 **ARMY RESEARCH OFFICE** to Xiao, J. and Tian, Y., for "Towards Autonomous Miniature Rotocrafts in Cluttered Environments for Scene Understanding."
16. \$135,000 **COLUMBIA UNIVERSITY** to Akins, D., for "Columbia Center for Electron Transport in Molecular Nanostructures."
17. \$116,643 **NEW YORK STATE EDUCATION DEPARTMENT** to Brown, R., for "CCNY/SCRIP STEP Program."
18. \$115,510 **ROBERT WOOD JOHNSON** to Slater, M., for "Collaborative Frontline and Allied Workforce Development Program."
19. \$104,119 **SECURICS INC** to Wolberg, G., for "STTR Phase II: Improving Privacy and Security in Biometrics."
20. \$103,706 **STX SHIPBUILDING CO, LTD** to Lee, J., for "Process Intensification by Integrating of Reaction and Separation."

21. \$101,671 **NATIONAL SCIENCE FOUNDATION** to YingLi, T., for "Context Based Indoor Object Detection."

#### **JOHN JAY COLLEGE OF CRIMINAL JUSTICE**

1. \$704,189 **NATIONAL INSTITUTE OF JUSTICE** to Petraco, N. D., for "Standardized Methodologies to Study and Critically Evaluate Toolmark, Firearm, and other Forensic Impression Evidence."
2. \$249,470 **UNITED STATES DEPARTMENT OF EDUCATION** to Duffy, M., for "Net Generation."
3. \$200,000 **DEPARTMENT OF HOMELAND SECURITY** to Freilich, J. D., for "Undergraduate Career Development Program: Educating, Mentoring, and Providing Research Training to Undergraduate Students in Homeland Security."
4. \$177,230 **NATIONAL INSTITUTES OF HEALTH – NATIONAL INSTITUTE OF MENTAL HEALTH** to Yanos, P., for "Treating Internalized Stigma in Severe Mental Illness."

#### **KINGSBOROUGH COMMUNITY COLLEGE**

1. \$671,569 **UNITED STATES EDUCATION DEPARTMENT** to Gomez, D., for "The Community College Jigsaw: Putting the Pieces Together."
2. \$599,935 **NATIONAL SCIENCE FOUNDATION** to Mancini, J., for "Community College Students Paving Future Careers in Bioengineering and Biotechnology."

#### **LEHMAN COLLEGE**

1. \$255,019 **NEW YORK STATE HEALTH FOUNDATION** to Aguirre-Molina, M., for "CUNY Community Partnership for Public Health."

#### **NEW YORK CITY COLLEGE OF TECHNOLOGY**

1. \$311,055 **NEW YORK STATE DEPARTMENT OF EDUCATION** to Barreras, I., for "Perkins II: CARPE DIEM."

#### **QUEENS COLLEGE**

1. \$2,006,172 **NATIONAL INSTITUTES OF HEALTH/CENTER FOR DISEASE CONTROL** to Markowitz, S., for "WTC Medical Monitoring and Treatment Program."
2. \$300,500 **NEW YORK CITY BOARD OF EDUCATION** to Gaudette, H., for "Townsend Harris High School/Queens College Collaboration."
3. \$232,500 **NATIONAL INSTITUTES OF HEALTH** to Chacko, A., for "Combined Cognitive Remediation and Behavioral Intervention for Treatment of ADHD."
4. \$184,213 **NATIONAL INSTITUTES OF HEALTH/CENTER FOR DISEASE CONTROL** to Chacko, A., for "Enhancing Fathers' Ability to Support their Preschool Child."
5. \$112,588 **NATIONAL SCIENCE FOUNDATION** to Sabitova, M., for "Root Numbers of Abelian Varieties and Related Representation – Theoretic Questions."
6. \$100,000 **ELLISON MEDICAL FOUNDATION** to Melendez, A., for "Autophagy and the Relationship Between Lifespan and Metabolism."

#### **COLLEGE OF STATEN ISLAND**

1. \$617,600 **UNITED STATES DEPARTMENT OF EDUCATION** to Rapp, P., for "Project Discovery Builds a School Pyramid for College Success (GEAR-UP)."

2. \$500,000 **NEW YORK STATE OFFICE OF SCIENCE, TECHNOLOGY AND ACADEMIC RESEARCH** to Simmons, G., for "Material Sciences and Polymer Chemistry Faculty Development at College of Staten Island/CUNY."
3. \$370,000 **NATIONAL SCIENCE FOUNDATION** to Hu, Q., for "Development of Controlled Palladium(0)-Catalyzed Cross-Coupling Polymerizations."
4. \$363,320 **NATIONAL INSTITUTES OF HEALTH** to Naider, F., for "Peptide-Cell Interactions in *Saccharomyces Cerevisiae*."
5. \$332,501 **NEW YORK STATE DEPARTMENT OF EDUCATION/VOCATIONAL & TECHNOLOGY EDUCATION ACT** to Various, for "Perkins III Formula Grant."
6. \$243,418 **NEW YORK STATE DEPARTMENT OF EDUCATION** to Kijne, H., for "Workforce Investment Act."
7. \$199,032 **NEW YORK STATE DEPARTMENT OF EDUCATION** to Simmons, G. and Evans-Greene, D., for "Collegiate Science and Technology Entry Program."
8. \$173,888 **NEW YORK STATE DEPARTMENT OF EDUCATION** to Kijne, H., for "English Language/Civics."
9. \$153,848 **NEW YORK CITY DEPARTMENT OF HEALTH & MENTAL HYGIENE** to Kijne, H., for "Creative Exchange."
10. \$148,846 **NATIONAL INSTITUTES OF HEALTH** to Alonso, A., for "Tau Phosphorylation and Neurodegeneration."

**E. ORAL REPORT OF THE CHANCELLOR:** Chancellor Goldstein presented the following report:

I would like to start with our enrollment patterns that I have shared with the Board each time we meet and the numbers continue to be strong and rather challenging for the University. Our winter session is an area that we have started to devote much more attention to. During the winter session 2010, enrollments were up over 4% to more than 12,000 students that came to the University during that period of time between the first and second semester.

Registrations for the spring semester are up significantly over last year, fueled by strength in the number of continuing students. What we are seeing, **Mr. Chairman** and members of the Board, is a phenomenon that this University has really never experienced before. It is the bifurcation now of enrollment growth that is largely driven by new students coming in but even more so by students continuing their studies. Retention is starting to go up very dramatically at the University. Again, this is very much a tribute to the reforms that this University has taken on in the past few years, and obviously once our retention is up very significantly we will see graduation rates increasing as well.

New freshmen applications for the fall of 2010 are up 10%, compared to a record year in 2009, and transfer applications for the fall of 2010 are currently over 100% of what they were last year. Those are startling numbers and again it is a tale of two reactions. One is that we are delighted that the University continues to attract high achieving students in record numbers, but we are also deeply concerned about being able to give those students the kind of academic experience that all of us around this table and our faculty insist upon. That will continue to be a challenge as more and more students come to the University, which causes stress on the physical capacity of the University to absorb them and on the teaching power that we hold so dear to give students the kind of education and access to all of the support services they need. We will continue to watch this very carefully. We are working with all of the presidents now in a very sharp and focused way to ensure that we stay within the enrollment bandwidth that we have created for each of the campuses as we proceed over the next couple of years.

I would like to spend a little time on the budget that was released by Governor Paterson on January 19. All of you should have received copies of my public statement on this budget as well as our preliminary budget analysis. They are on the table if you have not received them.

Let me just go through some of the highlights of the budget. I will be testifying on Wednesday in front of the Assembly Ways & Means Committee and the Senate Finance Committee in joint session to provide my reactions to the budget. For the senior colleges, the executive proposal covers all of the University's mandatory and collective bargaining needs totaling a total of over \$91 million. The governor's budget also includes a reduction in state aid of over \$84 million. Of this amount, slightly under \$21 million is related to proposed workforce actions to be negotiated with unions. This is something that we have never experienced before and it is a little fuzzy to us at this point. We will get some more information about that.

The Executive Budget also proposes the New York State Public Higher Education Empowerment and Innovation Act, which would provide the University with increased flexibility to raise tuition, permit differential tuition rates and remove tuition and fees from CUNY's appropriations. Think of this as taking tuition off of the balance sheet of the University. The Act also proposes changes that will foster greater flexibility with regards to procurement.

Let me first pause and tell you my reaction to the first couple of dot points. Let me be very straight: this is not a good budget for the University. These are continuing cuts that we have experienced now for several years. This is yet the latest iteration of this and we are concerned about it. We will be able to manage this in ways that we have in the past, but I do not want anybody to leave this room believing that this is a budget that in some way advantages the University because dollars are truly being extracted from the operating needs of our campuses.

On the other hand, the budget is a verification of the very good work that we started here at **The City University of New York** and acknowledges the strength of the CUNY Compact, the investment vehicle that was created here, then adopted by SUNY and adopted at the state level through recommendations from the Commission on Higher Education. By the state providing full mandatory costs and providing an opportunity to have gradual tuition increases informed by an index of leading economic indices—in this particular case, the HEPI—the governor is supporting the very basic core of the Compact. The Compact derives from two things happening: first, that our fully mandatory costs are paid for and, second, giving the University the opportunity to increase tuition on a regular but very modest level and getting a portion of those revenues back for investment. Those items in the governor's proposal represent a strenuous support of what we have worked very hard for over the past few years.

On the notion of differential tuition, we have never been interested in providing differential tuition levels on a campus-by-campus basis. We are a tightly integrated University with lots of movement of students among our campuses, and the idea of setting differential tuition really does not work for us in the way that our University is structured. We are, however, very interested in differential tuition on a program basis, something that we have promoted for a long time and the governor is proposing that in this budget as well.

The last component of the Act relates to flexibility, how we are regulated, how we expend dollars and the agencies that show oversight for the dollars in which we spend. Obviously, we support good government and oversight and accountability, but having some of the regulatory burdens lifted, especially in the area of procurement is something that we very strenuously support.

In my testimony on Wednesday I will embed some of my reactions to what we have experienced in this country in the last two years with a very nasty recession as well as some very challenging events that we will be confronted with very shortly as New York State looks to join the budget that is being proposed this year for what we should expect the following year.

Let me move on briefly to the community colleges. The Executive Budget recommends an overall decrease of slightly under \$2 million base, resulting from a base aid reduction of \$285 per FTE student, this being offset by approximately \$18 million increase from projected enrollment growth and a building rental increase of slightly under \$2 million. I remind you that last year the governor proposed approximately the same amount of money to be extracted from community college base aid, but we were able to get that moderated down to \$130 per FTE. This new reduction is now on top of that \$130 and when we look at what is happening in New York City and New York State with unemployment numbers as high as they are, it does not seem to me to be an enlightened strategy to start cutting from community colleges because our community colleges, rightly so, are absorbing huge numbers of students that are coming to us because they cannot get jobs. They look to community colleges to enhance their skill sets so that they can compete effectively in a job market that is becoming quite unforgiving of people that do not have skills. I will

be speaking very strenuously on Wednesday about the need for community college support.

The Executive Budget also recommends some cuts in the Tuition Assistance Program (TAP), including a reduction across the board of \$75 for any student that is receiving TAP. Obviously, that could hurt some of our most financially challenged students and I will be saying that again on Wednesday.

With respect to the capital needs, the Executive Budget recommends an increase of slightly under \$285 million in appropriations for critical maintenance projects at the senior colleges and about \$35 million in appropriations for community college projects that have received city funding. This particular part of the capital program was an example of SUNY and **CUNY** coming together, doing a study on critical maintenance and working with the Executive to indicate how critically important it is to maintain our facilities. So we are delighted to see that. On the other hand, the state proposal reduces our cash disbursements for **CUNY's** capital program over the next five years for almost the equivalent amount of money of about a quarter of a billion dollars. We are going to watch that very carefully.

Let me say that really for the first time, there has been coordination between both **CUNY** and SUNY in looking for commonalities that both of us can support around the budget. I will be testifying on Wednesday with Nancy Zimpher, the chancellor of the SUNY system, and coordinating our efforts to show a unified set of supports for what we deem appropriate for both institutions.

We have set up the usual architecture here with the **CUNY** Legislative Action Council. We also have borough coordinators. I have asked some of our presidents to take ownership of working with legislators and we will continue now to be working very closely with the legislature as the governor's budget has been remanded to the legislature for review and comment.

Over the last couple of months, we have been working very closely with the State Education Department on the application for Race to the Top Funds. We provided a letter that is supportive of much of what the application supported and worked very closely with Chancellor Merryl Tisch and Commissioner David Steiner, the former Dean of Education at **Hunter College**. We will continue to work with them as closely as we can. Tomorrow morning I will be on a panel with Chancellor Tisch and Chancellor Joel Klein to discuss some of the issues around Race to the Top and other issues that are affecting both lower education and higher education in the city.

Let me move quickly to the city budget. The mayor has issued proposed reductions to **CUNY** of \$9.5 million in the current year. That represents about a 4% reduction in our operating needs and about \$15.4 million recommendation next year, which represents about an 8% reduction. We have had continuing dialogue with the mayor's office and the City Council regarding the impact of these proposed reductions on our community colleges and we await the mayor's preliminary budget which comes out this Thursday. We will get a better sense of where we are at that particular time.

On the capital side, we are working with the city on their financial plan, including matching capital funds for critical maintenance projects for the community college. In the mayor's January plan we expect to receive about \$23.5 million that we will match with state funds, bringing the total five-year capital budget to \$305 million, including \$11 million in state funds. I apologize for throwing out a lot of numbers here. After a while your eyes start to glaze and I know that, but I would like to just have that in the record.

The City Council Higher Education Committee has a new chairperson: Ydanis Rodriguez. We are planning a reception to welcome the new chair as well as some committee members. Mr. Rodriguez is a graduate of **CCNY** and was a teacher for many years. I am told he was very active as a student. We look forward to working with Mr. Rodriguez over the next City Council set of hearings.

There will be a **CUNY** Council of Presidents retreat on Friday, March 12th. I have asked Lt. Governor Richard Ravitch be our guest. He has graciously agreed to do so and we will have an exchange between **Interim Senior Vice Chancellor for Budget, Finance and Financial Policy Marc Shaw** and Lt. Governor Ravitch, both of whom worked very closely together. The conversation will be about imagining a set of different ways of thinking about relationships between public universities and our providers. We also hope to have a lens on the future, understanding that the lens is going to be opaque and not with great clarity, but I think it will be a spirited discussion and we look forward to that.

Chairman Schmidt, you will recall that a number of leading CEOs of public universities around the country convened two years ago for a higher education summit here in New York. It was a very spirited exchange with an agenda that we were able to promote through many of the higher education institutions. Those of you who have been following the California higher education wars know that Mark Yudof, the current president of the University of California system, has been through a very rough time. He and I will be co-hosting a second summit with a group of some of the top people in public higher education. We are planning it for October 2010 and hopefully we will be able to engage other presidents and chancellors around the United States using technological innovations that are available to us now that were not available just two years ago. We are looking forward to the chairman and others here in the University participating in that important event.

Our Salute to Scholars reception will take place on Thursday, January 28, at **The Graduate Center**. I want to commend **Senior Vice Chancellor and Secretary Jay Hershenson**, Michael Arena and the very talented group of professionals in our communication area for putting together an informative and attractive magazine about the enormous amount of depth that we have in this University in both applied and basic research.

Let me share one very interesting piece of news that was recently brought to my attention. All of you know that I like to look at data, and I look at data very carefully. I was presented with a schedule today that showed that between the **School of Professional Studies** and the extraordinary good work that **John Mogulescu** and his very talented staff has done, that group in the University alone over the past eight and a half years has raised over \$550 million in grants and contracts that have come into the University. This statistic just knocked me off my feet and it is for me an affirmation of how this University is perceived by the City of New York and the State of New York as the place to go to for very difficult studies for which they have many chances to go elsewhere. **John Mogulescu**, our Senior University Dean and the Dean of the **School of Professional Studies**, bravo. That is an extremely impressive number. I knew that you did very well. I had no sense that the money was as large as it is, and it is a great tribute to you and your team.

We are reminded daily, members of the Board, of the seemingly unending devastation brought by the earthquake that occurred a couple of weeks ago in Haiti. All of us are deeply moved by what the people in Haiti have been going through and will continue to go through. We have jumped in very early and I have asked our very distinguished **Vice Chancellor for Student Affairs Peter Jordon** to take the helm and he has done it with great wisdom and great energy. I ask all of you to go to the **CUNY** Web site and see the impressive amount of programs that have already been put in place to help the CUNY community deal with this tragedy and to help the people of Haiti to try to rebuild their country that has been devastated in ways that none of us can fully appreciate.

I also want to announce that I asked **President Regina Peruggi of Kingsborough Community College** if she would chair a task force of all of our community college presidents. We had our inaugural meeting on Friday of last week and it was a very spirited discussion. What I asked them to do is to imagine a program that could be scaled up beyond **CUNY**, but that **CUNY** would take the lead in identifying a series of programs that we now have at our community colleges that can address the needs to help rebuild this important country. These do not have to be degree programs, and there may be a need to start developing some new interventions.

Haiti is going to need skilled people to help rebuild the hospitals, the infrastructure, the schools, and the transportation systems. It is going to be an enormous task and as we think about what a university can do, it seems to me that, at a minimum, we could invite students that we identify from Haiti to come to the United States to study at our community colleges. We would find a way to house them while they are here and give them the opportunity to fast track through the system so that they can go back to their country and help to rebuild. Once we get the program in place, I will be working with other presidents around the United States to see if we can scale this up. We could help a few handfuls of students here, but if we can get other campuses around the United States to emulate some of what it is that we will accomplish here, I think that would be an important move for the people of this country. So, **Regina** and the rest of the presidents at our community colleges, thank you for agreeing to do this and we will certainly be working very closely with you.

All of us miss Ernesto Malave. He was a great fixture at this institution and his untimely death is still a raw scar in all of us. At a minimum what we wanted to do is to celebrate his life. I asked **Senior Vice Chancellor and Secretary Jay Hershenson** if he would put together a planning group, which he did. We will have a celebration of Ernesto's life on Friday, February 5, at **Hostos Community College**. There will be a number of speakers. This will really be a celebration of his time here at the University. He grew up here as a student and rose to the highest levels of leadership as a vice chancellor. I hope all of you can be in attendance.

**Trustee Hugo Morales** asked whether the Haitian students were coming to **CUNY** free of charge, and for how long. **Chancellor Goldstein** responded that the committee would come in with a set of recommendations that he would share with **Trustee Morales**.

**Upon motions duly made, seconded and carried, the following resolutions were adopted: (Calendar Nos. 1 through 6)**

**NO. 1. CHANCELLOR'S UNIVERSITY REPORT:** RESOLVED, That the Chancellor's University Report for January 25, 2010 (including Addendum and Errata Items) be approved:

**NO. 2. APPROVAL OF MINUTES:** RESOLVED, That the minutes of the regular Board meetings and Executive Session of November 23, 2009 be approved.

**NO. 3. COMMITTEE ON FACULTY, STAFF, AND ADMINISTRATION:** RESOLVED, That the following items be approved:

**A. HUNTER COLLEGE - NAMING OF THE JOAN H. TISCH DISTINGUISHED FELLOW, THE JOAN H. TISCH PUBLIC HEALTH FORUM, AND THE JOAN H. TISCH COMMUNITY HEALTH PRIZE:**

RESOLVED, That the Board of Trustees of The City University of New York approve the naming of the Joan H. Tisch Distinguished Fellow, the Joan H. Tisch Public Health Forum, and the Joan H. Tisch Community Health Prize at Hunter College.

EXPLANATION: The Laurie M. Tisch Illumination Fund, on behalf of Laurie, Steven and Jonathan Tisch, has announced its intention to fund a five-year \$1,177,500 project with the Hunter College Foundation, Inc. to establish the Joan H. Tisch Distinguished Fellowship, the Joan H. Tisch Public Health Forum, and the Joan H. Tisch Community Health Prize. The Joan H. Tisch Distinguished Fellow will be a prominent health care professional with practical public policy experience who will foster research, collaboration and public awareness about critical issues in urban public health and will be resident at the Roosevelt House Institute of Public Policy at Hunter College. The Joan H. Tisch Distinguished Fellow will plan the annual Joan H. Tisch Public Health Forum, focusing on national and New York City public health issues such as HIV/AIDS, obesity, diabetes, environmental health, health problems associated with poverty and aging, and mental health. The College will also establish the annual Joan H. Tisch Community Health Prize, to be presented each year during the term of the project to an organization or an individual for distinguished accomplishment in the field of urban public health.

Joan H. Tisch, widow of the late Giants co-owner Preston Robert Tisch, is President and a Director of the Tisch Foundation, Inc. Ms. Tisch has been a leader in the fight against HIV/AIDS for more than a quarter century, and was an early supporter and Lifetime Trustee of Gay Men's Health Crisis. She has also been a leader in the fight to eradicate hunger and poverty in New York and around the country. Ms. Tisch serves as a trustee of the Museum of Modern Art and is on the board of directors of City Meals-on-Wheels. She also plays a significant role at the 92nd Street Y, where she serves as Co-Chair of the Tisch Center for the Arts, named in honor of her family.

The Joan H. Tisch Fellowship, Public Health Forum and Community Health Prize are being established by The Laurie M. Tisch Illumination Fund on behalf of Mrs. Tisch's three children: Academy Award-winning producer and community leader Steven Tisch, philanthropist and activist Laurie M. Tisch, and Loews Corp. Co-Chairman and New York civic leader Jonathan Tisch. The Laurie M. Tisch Illumination Fund was founded by Laurie M. Tisch, one of New York City's most highly regarded philanthropists, best known for her founding role in Children's Museum of Manhattan and

The Center for Arts Education, where she led a multi-million dollar fundraising campaign that resulted in an investment of nearly \$40 million in arts education programs in New York City schools.

This extraordinary gift will enable Hunter College to create a new multi-disciplinary initiative focusing on urban public health issues – from diseases such as HIV/AIDS, obesity, and diabetes to health disparities due to economic and environmental factors.

**B. HUNTER COLLEGE - NAMING OF THE RITA AND BURTON GOLDBERG M.F.A. IN PLAYWRITING PROGRAM AND THE RITA AND BURTON GOLDBERG STUDIO:**

RESOLVED, That the Board of Trustees of The City University of New York approve the naming of the Rita and Burton Goldberg M.F.A. in Playwriting Program in the Theatre Department at Hunter College, and the Rita and Burton Goldberg Studio in Room 537 of the North Building at Hunter College.

EXPLANATION: In 2007 Rita and Burton Goldberg pledged \$1,000,000 to the Hunter College Foundation, Inc. to establish the Rita and Burton Goldberg M.F.A. in Playwriting Program in the Department of Theatre at Hunter College, and to renovate a multi-purpose room for classes, rehearsals, readings and workshops. The room will be named the “Rita and Burton Goldberg Studio.” The M.F.A. in Playwriting Program was registered by the State Education Department on May 7, 2009.

Rita Goldberg is an alumna of Hunter College, Class of 1946. She is a founding member of the national Independent Educational Counseling Association (IECA) as well as the regional IECA organization. Her career as an educational consultant for at-risk children and their parents has spanned 25 years. Presently, she serves on the boards of The Jewish Museum, the Westchester Arts Council and The Lark Theater Company. Burton Goldberg founded The Goldberg Group, a real estate business, in which he remains active today. He has had a lifelong interest in both theatre and poetry and is a member of The Academy of American Poets.

The Goldbergs’ extraordinary gift will enable Hunter College to offer its students the opportunity to pursue an M.F.A. degree in a top quality playwriting program.

**C. HUNTER COLLEGE - NAMING OF THE MORRIS AND BESSIE DUBOWICK CLASSROOM:**

RESOLVED, That the Board of Trustees of The City University of New York approve the naming of the Morris and Bessie Dubowick Classroom located in Room 619 of the West Building at Hunter College.

EXPLANATION: Esther Dubowick Glener has contributed \$100,000 to the Hunter College Foundation, Inc. to create a sixth floor classroom located in the West Building of Hunter College. The College has upgraded the classroom, equipping it with a smart board, computer and furniture designed to facilitate both individualized and group learning.

Esther Dubowick Glener received two degrees from Hunter College, a B.A. in accounting in 1943 and a Masters in Education in 1978. Mrs. Glener spent nearly 20 years working in the accounting profession before changing careers and becoming a New York City elementary public school teacher in Queens and Brooklyn. The sixth floor classroom will be named for Mrs. Glener’s parents, Morris and Bessie Dubowick, who instilled in her a love of learning and placed the highest value on education.

**D. DISTINGUISHED PROFESSOR:** RESOLVED, That the following be designated Distinguished Professor in the department, and the college, and for the period indicated, with compensation of \$28,594 per annum in addition to their regular academic salaries, subject to financial ability:

COLLEGE	NAMES	DEPARTMENT	EFFECTIVE
Queens College	Pyong Gap Min	Sociology	February 1, 2010

**Statement of President James Muyskens:**

It is truly an honor to introduce Prof. Pyong Gap Min. His field of study is both old and new. It is indeed the oldest American story, the story of people leaving behind all they have and all they know to come to America in hopes of finding a better life, but it is also new as Prof. Min is studying the latest waves of immigrants from Asia with a special focus on Korean Americans. This makes Prof. Min one of the most important scholars in **The City University of New York**, indeed in America, for he is studying the future, for this new wave of immigrants will no doubt influence our nation and enrich the lives of Americans for generations to come. He is a remarkably prolific and honored scholar who is especially known for his award winning book, *Caught in the Middle: Korean Communities in New York and Los Angeles*.

**Statement of Professor Pyong Gap Min:**

Thank you for the nice introduction, **President Muyskens**. I am too excited to speak normally here, so I prepared a little note to read and I am going to read it. Two years ago after an arduous struggle, I finally found an academic position at **Queens College**. **Queens College** and particularly its Sociology Department have turned out to be the best place for my personal and academic life. Vibrant Asian American communities in Flushing and multi-cultural **Queens College** and **CUNY Graduate Center** campuses have given me a huge advantage for my research and other academic activities. I am humbled to accept this honor, the greatest honor in my life. I would like to express my sincere thanks to **Chancellor Matthew Goldstein**, the **Board of Trustees** and **Queens College President James Muyskens** for helping me to get this honor. I owe special thanks to Dr. Andrew Beveridge and other colleagues in my Sociology Department for saving my sociology career and giving me all the support I needed there. Finally, I thank my wife and loved ones who have given me support, strength and courage to overcome many difficulties in my personal and academic life.

**E. THE CITY UNIVERSITY OF NEW YORK - CONTINUATION OF MILITARY LEAVE AND EMPLOYER-PAID HEALTH AND WELFARE BENEFITS COVERAGE FOR UNIVERSITY EMPLOYEES RECALLED FROM THE RESERVES TO ACTIVE MILITARY SERVICE:**

RESOLVED, That the Board of Trustees of The City University of New York, in response to the continuing need for employees in the National Guard and Reserves to be activated for Military Service in response to the events of September 11, 2001, and in light of the continuing evolution of the response to September 11, 2001 into a wider campaign against terror, including military action in Iraq, hereby authorizes the continuation of Military Leave and Health & Welfare benefits for University employees in accordance with the following policies. These policies apply to employees of The City University of New York who are members of the National Guard, Reserve forces, or Reserve components of the armed forces of the United States.

**1. Supplemental Military Leave**

- (a) The City University of New York will provide a temporary leave category called Supplemental Military Leave at full pay. Employees of The City University of New York who have been federally activated or activated by the Governor of New York State for military service between September 11, 2001 and December 31, 2010 will be granted Supplemental Military Leave with full pay after the exhaustion of military leave with full pay pursuant to Section 242 of the New York State Military Law. While on such Supplemental Military Leave, the eligible employee will be in full pay status for a period not exceeding 30 calendar days or 22 working days, whichever is greater, in addition to the leave that had been granted pursuant to Section 242 of the New York State Military Law.
- (b) Employees shall be eligible to receive Supplemental Military Leave through December 31, 2010. Supplemental Military Leave shall not be granted for military service performed after December 31, 2010. In no event shall more than one such grant of Supplemental Military Leave be credited to any employee for activation related to the war on terror regardless of the number of times the employee is activated between September 11, 2001 and December 31, 2010.

## 2. Military Leave at Reduced Pay

- (a) Employees shall be eligible to receive Military Leave at Reduced Pay through December 31, 2010. Military Leave at Reduced Pay status commences after the employee has exhausted Military Leave pursuant to Section 242 of the New York State Military Law, Supplemental Military Leave as set forth in paragraph 1 above, and any leave credits, other than temporary disability leave or sick leave, which the employee elects to use.
- (b) Employees in Military Leave at Reduced Pay status will be paid their regular City University of New York salary (base pay) reduced by military pay (base pay plus housing and food allowances). The determination of rate of payment for the Military Leave at Reduced Pay will be based upon the employee's regular City University of New York salary as of his/her last day in full pay status and the employee's military pay on the first day of his/her activation, and shall not be subject to adjustment during the period of leave at reduced pay.
- (c) Employees eligible for Military Leave at Reduced Pay will not be eligible to earn annual and temporary disability leave/sick leave accruals or to receive credit for holidays.
- (d) In no event shall Military Leave at Reduced pay be granted for military service performed after December 31, 2010.

## 3. Continued Health Insurance Coverage

Covered dependents of eligible employees of The City University of New York, who are currently enrolled in a health plan with family coverage through The City University of New York and who have been federally activated or activated by the Governor of New York State for military service related to the war on terror shall continue to receive health insurance coverage with no employee contribution for a period not to exceed 12 months from the date of activation, less any period in which the employee remains in full-pay status. Contribution-free health insurance coverage will end at such time as the employee's active duty is terminated or the employee returns to City University of New York employment or December 31, 2010, whichever occurs first.

## 4. Other Provisions

The provisions of this resolution shall not apply to those employees who have voluntarily separated from City University of New York service or who are terminated for cause. Furthermore, the provisions of this resolution shall apply only for the period of time that the employee has an appointment with The City University of New York.

EXPLANATION: On October 22, 2001, November 18, 2002, March 29, 2004, February 28, 2005, January 8, 2007, January 28, 2008, and January 26, 2009 the Board of Trustees passed resolutions extending Military Leave and employer-paid health and welfare benefits coverage for University employees recalled from the Reserves to active military service in response to the events of September 11, 2001. This resolution authorizes the continuation of these benefits through December 31, 2010 in response to the need for employees to serve in the Armed Forces in light of the continuing evolution of the response to September 11, 2001 into a wider campaign against terror, including military action in Iraq.

This resolution, consistent with the policies being followed by the State of New York for its employees, authorizes, under certain conditions, the continuation of Supplemental Military Leave at full pay for the greater of 30 calendar days or 22 working days, in addition to the Military Leave provided pursuant to Section 242 of the New York State Military Law. Further, after exhaustion of the Supplemental Military Leave, this resolution authorizes a Military Leave at Reduced Pay for military service performed through December 31, 2010, whereby the employee will receive salary from The City University of New York equal to the difference between the employee's regular CUNY salary and the military pay he/she is receiving. Finally, this resolution authorizes the continuation (through December 31, 2010) of

dependent health care coverage, under certain conditions, for employees recalled to active service related to the war on terrorism (less any period in which the employee remains in full-pay status).

**NO. 4. COMMITTEE ON FACILITIES PLANNING AND MANAGEMENT:** RESOLVED, That the following items be approved:

**A. NEW YORK CITY COLLEGE OF TECHNOLOGY - NEW ACADEMIC BUILDING:**

RESOLVED, That the Board of Trustees of The City University of New York authorize the General Counsel to execute a C/M Build contract with F.J. Sciamè Construction Co., Inc., on behalf of New York City College of Technology to build the New Academic Building. The contract cost shall be chargeable to the CUNY Construction Fund (CUCF), Project No. NY-CUCF-01-08, for an amount not to exceed \$350,000,000 (Pre-construction, Construction, and Management Services). The contract shall be subject to approval as to form by the University Office of the General Counsel; and be it further

RESOLVED, That City University Construction Fund be and hereby is requested to enter into a contract with the selected bidder for pre-construction, and at a subsequent date, construction and management services.

EXPLANATION: New York City College of Technology will demolish and replace the existing Klitgord Center structure and an existing TV Studio (located on the TV Studio site) with a New Academic Building, approximately 358,000 GSF, to replace antiquated facilities and to meet the rapidly growing needs of the NYCCT campus. The consultant management agreement shall be performed in two (2) phases. For Phase I, the CUCF will execute a C/M Build contract with F.J. Sciamè Construction Co., Inc., for pre-construction services, for an amount not to exceed \$900,000, which will advance the project design up to the start of construction. Phase II, the construction of the building, will be pursued once full State funding becomes available. This project will be a CUNY-managed project, and the contract will be held by the CUCF.

**B. QUEENS COLLEGE - ELECTRICAL DISTRIBUTION SYSTEM UPGRADES:**

RESOLVED, That the Board of Trustees of The City University of New York authorize the General Counsel to execute a consultant contract with the firm of Chu and Gassman Consulting Engineers, P.C., for professional design- and construction-related services as required for the Electrical Distribution Upgrade at Queens College, CUNY Project No. QC500-009. The contract cost shall be chargeable to the Dormitory Authority of New York, Project No. 2877509999, for an amount not to exceed \$2,000,000. The contract shall be subject to approval as to form by the University Office of the General Counsel.

EXPLANATION: Queens College will upgrade and modernize the campus electrical distribution system and upsize the delivery of electric service coming into each building. The proposed firm was selected in accordance with law and procedures established by the University.

**C. THE CITY UNIVERSITY OF NEW YORK - ENGINEERING DESIGN SERVICES REQUIREMENTS CONTRACTS:**

RESOLVED, That the Board of Trustees of The City University of New York request the City University Construction Fund ("CUCF") to execute up to forty (40) requirements contracts to be used on an as-needed basis for Engineering Design Services, including Mechanical Engineering Services, Plumbing Engineering Services, Electrical Engineering Services, Environmental Engineering Services, Controlled Inspection Services, and Cost Estimating and Analysis Services.

EXPLANATION: Historically, the Office of Facilities Planning, Construction, and Management issued Requests for Proposals to solicit for Engineering Design Services on an individual project basis. The individual "by project" solicitation process is very costly, time-consuming, labor-intensive, difficult to administer, and fails to expeditiously and efficiently meet the needs of the University. To eliminate this expensive and burdensome process, CUNY is requesting CUCF to award up to forty (40) separate requirements contracts to provide Engineering Design Services on an expedited "as needed" basis for projects with a construction cap of \$15 million. Each contract will have a not-

to-exceed amount of \$5 million. The above-mentioned firms were selected pursuant to a request for proposals, and each contract will be awarded by means of a competitive bid process among those firms. The projects under these contracts will be managed by CUNY, and the contracts will be held by CUCF.

**D. THE CITY UNIVERSITY OF NEW YORK - CONSTRUCTION MANAGEMENT/BUILD SERVICES REQUIREMENTS CONTRACTS:**

RESOLVED, That the Board of Trustees of The City University of New York request the City University Construction Fund ("CUCF") to execute up to eight (8) requirements contracts to be used on an as-needed basis to provide construction management/build services for medium-sized construction projects, anticipated to be in the \$3–25 million range, to support colleges throughout the CUNY system as they expand, improve, and renovate their facilities.

EXPLANATION: Historically, the Office of Facilities Planning, Construction, and Management issued Invitations for Bids for construction services, on an individual project basis. The individual "by project" solicitation process is very costly, time-consuming, labor-intensive, difficult to administer, and fails to expeditiously and efficiently meet the needs of the University. To eliminate this expensive and burdensome process, CUNY is requesting CUCF to award up to eight (8) separate requirements contracts to provide construction management/build services on an expedited as-needed basis to support colleges throughout the CUNY system as they expand, improve, and renovate their facilities. Each contract will have a not-to-exceed amount of \$30 million. The above-mentioned firms were selected pursuant to a request for proposals, and each contract will be awarded by means of a competitive bid process among those firms. The projects under these contracts will be managed by CUNY, and the contracts will be held by CUCF.

**E. THE CITY UNIVERSITY OF NEW YORK - COLLEGE LABORATORY FACILITIES CONSTRUCTION MANAGEMENT/DESIGN/BUILD SERVICES REQUIREMENTS CONTRACTS:**

RESOLVED, That the Board of Trustees of The City University of New York requests the City University Construction Fund ("CUCF") to execute four (4) requirements contracts to be used on an as-needed basis to provide necessary design services, manage, and build college laboratory facilities renovation projects. The contracts will be awarded to the following firms: URS Corporation; STV; Epic/Goshow Architects; and Hunter Roberts Interiors/HLM.

EXPLANATION: Historically, the Office of Facilities Planning, Construction, and Management issued Requests for Proposals to solicit for design services followed by issuing Invitations for Bids for construction services, on an individual project basis. The individual "by project" solicitation process is very costly, time-consuming, labor-intensive, difficult to administer, and fails to expeditiously and efficiently meet the needs of the University. To eliminate this expensive and burdensome process, CUNY is requesting CUCF to award four (4) separate requirements contracts to provide construction management/design/build services on an expedited as-needed basis to support Colleges throughout the CUNY system as they expand, improve and renovate approximately 25 laboratory facilities. Each contract will have a not-to-exceed amount of \$30 million. The above-mentioned firms were selected pursuant to a request for proposals, and each contract will be awarded by means of a competitive bid process among those firms. The projects under these contracts will be managed by CUNY, and the contracts will be held by CUCF.

**F. (ADDED ITEM) THE CITY UNIVERSITY OF NEW YORK - SUBRECIPIENT AGREEMENT AND INDEMNIFICATION AGREEMENT, BMCC FITERMAN HALL REPLACEMENT PROJECT:**

RESOLVED, That the Board of Trustees of The City University of New York ("CUNY") request the Dormitory Authority of the State of New York to enter into a Subrecipient Agreement with Lower Manhattan Development Corporation on behalf of CUNY for the purpose of receiving and utilizing United States Government funds for the Fiterman Hall Project; and be it further

RESOLVED, That the Board of Trustees of The City University of New York ("CUNY") authorize the Senior Vice Chancellor for Legal Affairs to execute an amendment to the Project Management Agreement dated June 2008 between The Dormitory Authority of the State of New York ("DASNY"), CUNY, and the City University Construction Fund, to provide for the indemnification of DASNY in connection with DASNY entering into a Subrecipient Agreement with the Lower Manhattan Development Corporation on behalf of CUNY for the purpose of receiving and utilizing

United States Government funds for the Fiterman Hall Project. The amendment shall be subject to approval as to form by the CUNY Office of the General Counsel.

EXPLANATION: The Fiterman Hall Project consists of the construction of a new building to replace the 15-story Fiterman Hall at Borough of Manhattan Community College which was extensively damaged, and subsequently demolished, as a result of the collapse of the adjacent World Trade Center. CUNY has engaged DASNY to undertake the Fiterman Hall Project as an "Authority Managed Project" pursuant to the Project Management Agreement between DASNY, CUNY, and the City University Construction Fund ("CUCF"). The Lower Manhattan Development Corporation ("LMDC") has applied for and received certain Federal funds under the 2001 Emergency Supplemental Appropriations Act for Recovery From and Response To Terrorist Attacks on the United States (among other statutes). DASNY has agreed to enter into the Subrecipient Agreement with LMDC to access the funds, provided CUNY and CUCF indemnify and hold DASNY harmless in connection with any claims against DASNY in connection with the Subrecipient Agreement or the use of the funds.

**G. (TABLE ITEM) THE CITY UNIVERSITY OF NEW YORK - CUNY FINANCING CORPORATION BOND ISSUE FOR THE CUNY SCHOOL OF LAW PROJECT:**

RESOLVED, That the Board of Trustees hereby authorize: (i) the issuance by the CUNY Financing Corporation ("CFC") on behalf of The City University of New York ("CUNY") of one or more series of its revenue bonds, one of which may be federally taxable Build America Bonds (the "2010 Bonds") in an aggregate principal amount (presently estimated at approximately \$140,000,000) sufficient to finance the acquisition, renovation, and related costs of a condominium unit at 2 Court Square in Long Island City, New York (Borough of Queens, Block 437, Lots 2, portion of 6, and 38) ("Project Site") and associated reserve funds, capitalized interest and costs of issuance of the 2010 Bonds; and (ii) the execution by the General Counsel and/or the Vice Chancellor for Facilities Planning, Construction, and Management (and Authorized Officer) of CUNY of any and all instruments, documents, and agreements as are necessary and desirable in connection with the offering, sale, and issuance of the 2010 Bonds upon such terms and conditions as the General Counsel shall approve; and be it further

RESOLVED, That the Board of Trustees hereby authorize the conveyance to CFC of all of CUNY's right, title and interest in the Project Site to CFC for nominal consideration and an Authorized Officer is hereby authorized to execute such documents and instruments of conveyance and transfer, upon such terms and conditions as the General Counsel shall approve; and be it further

RESOLVED, That the Board of Trustees hereby authorize an Authorized Officer to execute, in the name and on behalf of CUNY, as tenant, a lease with CFC, as landlord (the "Lease"), and an agreement by and between CUNY and the trustee for the holders of the 2010 Bonds (the "Support Agreement") pursuant to which CUNY shall agree to payments sufficient, among other things, to pay debt service on the 2010 Bonds in the event rental payments under the Lease available therefore are insufficient, each such agreement to contain such terms and conditions as the General Counsel shall approve; and be it further

RESOLVED, That the Board of Trustees hereby authorize an Authorized Officer to provide and to certify the accuracy of any and all information concerning CUNY, its finances and operations as may be required or appropriate for inclusion in any offering document prepared by CFC in connection with the offering, sale and issuance of the 2010 Bonds and the execution and performance by CUNY of its obligations under the Lease and Support Agreement; and be it further

RESOLVED, That the Board of Trustees request the City University Construction Fund to authorize and execute any documents related to the Project, including the Lease and Support Agreement, if necessary or desired by CUNY; and be it further

RESOLVED, That the Board of Trustees hereby authorize an Authorized Officer to execute and deliver such other instruments, documents and agreements as may be necessary, convenient or desirable in connection with the transactions contemplated hereby and by the Lease, Support Agreement and the 2010 Bonds, upon such terms and conditions as the General Counsel shall approve.

EXPLANATION: CUNY intends to purchase a condominium unit consisting of six floors in an existing fourteen story building at 2 Court Square. The CUNY School of Law, currently located in Flushing near Queens College, will be relocated to the Project Site. The Project will be comprised of approximately 260,000 gross square feet of academic facilities, including, without limitation, classrooms, offices, an auditorium, student/social common areas, library, and administrative/support space. As the building was originally designed as an educational and training facility for Citibank, much of the interior space at the Project Site is already outfitted for these uses.

The total Project renovation cost is estimated at approximately \$25 million and the acquisition cost of the condominium unit at \$155 million. An additional \$10 million is estimated for bond issuance costs including capitalized interest, fees, reserves and insurance. All costs will be funded by the issuance of bonds of \$140 million and a State appropriation of \$50 million. It is anticipated the acquisition will occur in April 2010 and the renovation will be completed for the fall semester, 2011.

The Project acquisition and renovation costs will be paid, in part, from proceeds of the 2010 Bonds issued by CFC. To facilitate the financing by CFC, CUNY will convey the Project Site to CFC and lease it back pursuant to the Lease. The rental payable by CUNY under the Lease will be sufficient to service the 2010 Bonds and provide for CFC with sufficient money to pay its operating and overhead expenses. The Project Site will be reconvened to CUNY when no CFC bonds issued in connection with the Project are outstanding and all other obligations of CUNY under the Lease have been satisfied.

The Board of Trustees has previously approved other aspects of this transaction at its meetings on September 29, 2009 (Cal. No. 5B) and November 23, 2009 (Cal. No. 5A).

**NO. 5. EXECUTIVE COMMITTEE:** Notice of Actions Taken (January 4, 2010), for informational purposes:

**A. THE CITY UNIVERSITY OF NEW YORK (CENTRAL OFFICE) - APPOINTMENT OF INTERIM SENIOR VICE CHANCELLOR FOR BUDGET, FINANCE AND FINANCIAL POLICY:**

RESOLVED, That the Board of Trustees appoint Marc V. Shaw as Interim Senior Vice Chancellor for Budget, Finance and Financial Policy effective January 5, 2010 at a salary to be determined by the Chancellor; and be it further

RESOLVED, That the Board of Trustees waive the application to this appointment of the provision of its Code of Conduct prohibiting a Trustee from accepting employment with the University for a period of two years following his service as Trustee.

EXPLANATION: The untimely and regrettable death of Vice Chancellor Ernesto Malave has left a large and unexpected hole in the University's administration. Fortunately, the University has a Trustee whose background and experience make him uniquely qualified to step into the breach under these unique circumstances.

Marc Shaw has served as a Trustee of the University since July 2002. He is currently also Chair of the Committee on Facilities, Planning, and Management and Vice Chair of the Committee on Fiscal Affairs. If this resolution is approved, he will resign as a Trustee prior to the effective date of his appointment as Interim Senior Vice Chancellor for Budget, Finance and Financial Policy.

Mr. Shaw has served for the past year as Senior Advisor to Governor Paterson. Prior to assuming that position, he was Executive Vice President for Strategic Planning at Extell Development Company. From 2002 to 2006, he was the First Deputy Mayor and Deputy Mayor for Operations to Mayor Bloomberg. In 1996, he was appointed by Governor Pataki to serve as the Executive Director and Chief Operating Officer for the Metropolitan Transportation Authority, and was responsible for overseeing the daily operations of the MTA, including financial and strategic planning, and the capital programming activities for headquarters and the operating agencies.

Prior to working at the MTA, Mr. Shaw served as the Budget Director for the New York City Office of Management and Budget under Mayor Giuliani, and was responsible for developing the Mayor's executive budget, and advising the Mayor on all policy issues affecting the City's fiscal stability and the effectiveness of its services. He was also responsible for the City's four-year financial plans and its capital budget. Mr. Shaw first served in the Giuliani administration as the Commissioner for the New York City Department of Finance, where he was responsible for the administration of all City taxes and fees. He began his career in New York City government in 1988 as Director of Finance for the New York City Council, where he was chief fiscal advisor to the Speaker of the Council and served as the Council's principal negotiator on the city budget.

Beginning in 1981, Mr. Shaw worked for the New York State Senate Finance Committee and was responsible for developing solutions for the Senate Majority and state taxation and financing policies. He has also been an adjunct assistant professor of Public Services at the Robert F. Wagner Graduate School of Public Services at New York University, and as an adjunct professor at the School of International and Public Affairs at Columbia University. He graduated magna cum laude from the State University College at Buffalo and received his M.A. degree at the State University of New York at Buffalo.

**B. THE CITY UNIVERSITY OF NEW YORK (CENTRAL OFFICE) - APPOINTMENT OF ASSOCIATE VICE CHANCELLOR FOR BUDGET AND FINANCE:**

RESOLVED, That the Board of Trustees approve the promotion of Matthew Sapienza to the position of Associate Vice Chancellor for Budget and Finance effective January 5, 2010 at a salary to be determined by the Chancellor.

EXPLANATION: Matthew Sapienza has provided 21 years of distinguished public service in senior level positions involving budget and financial administration, including five years as University Budget Director at CUNY, where he worked closely with the late Vice Chancellor Ernesto Malave on the development of the *CUNY Compact*, 11 years at the New York City Board of Education, where he was promoted to Deputy Budget Director for the public schools system, and five years as a Senior Budget analysis for the New York City Fire Department. Following the untimely and regrettable death of Vice Chancellor Malave, Mr. Sapienza has worked tirelessly and effectively to handle the University's finances in the current fiscal difficulty facing the State and the City of New York. In recognition of his past and current contributions, and his dedication to the University, the Chancellor recommends his promotion to the position of Associate Vice Chancellor for Budget and Finance.

Mr. Sapienza joined The City University of New York as University Budget Director in September 2004. Mr. Sapienza is responsible for the overall management of \$2.6 billion in City and State tax-levy operating funds, including over \$1.0 billion in tuition revenues. The management of these funds involves complex interactions among City and State officials in both the Executive and Legislative branches, the University's Board of Trustees, principally through its Committee on Fiscal Affairs, the University's Central Office, and its 23 institutions. During his tenure as Budget Director, the University has implemented its innovative *CUNY Compact* financing strategy, as well as this year's Student Financial Assistance Initiative.

Before assuming his position as University Budget Director, Mr. Sapienza worked for eleven years at the New York City Department of Education, the last four of which he served as the Deputy Budget Director. At the DOE, he was responsible for administering the school system's \$12 billion budget and for being the organization's main liaison with financial oversight agencies. Prior to working at the DOE, Mr. Sapienza worked as a Senior Budget Analyst in the New York City Fire Department.

Mr. Sapienza holds a BBA in Finance from Pace University's Lubin School of Business, and an MBA in Finance from St. John's University.

**NO. 6. HONORARY DEGREES:** RESOLVED, That the following honorary degrees, approved by the appropriate faculty body, the college president and recommended by the Chancellor, be presented at the commencement exercise as specified:

<b>COLLEGE</b>	<b>DEGREE</b>
<b>CITY COLLEGE</b>	
H. Jack Geiger (To be awarded at the May 28, 2010 commencement exercises)	Doctor of Science
Seymour Sternberg (To be awarded at a symposium on April 23, 2010)	Doctor of Humane Letters

**Upon motion duly made, seconded and carried, the public meeting was adjourned to go into Executive Session at 5:30 P.M.**

**SECRETARY AND SENIOR VICE CHANCELLOR JAY HERSHENSON**

**(This is a detailed summary of the Board of Trustees' meeting. The tapes of the meeting are available in the Office of the Secretary of the Board for a period of three years.)**



MINUTES OF THE EXECUTIVE SESSION OF THE BOARD OF  
TRUSTEES OF THE CITY UNIVERSITY OF NEW YORK

HELD

JANUARY 25, 2010

AT BARUCH COLLEGE VERTICAL CAMPUS  
55 LEXINGTON AVENUE – BOROUGH OF MANHATTAN

The Executive Session was called to order at 5:33 P.M.

There were present:

Benno Schmidt, Chairperson  
Philip Alfonso Berry, Vice Chairperson

Wellington Z. Chen  
Rita DiMartino  
Joseph J. Lhota  
Hugo M. Morales  
Peter S. Pantaleo

Kathleen M. Pesile  
Carol A. Robles-Roman  
Charles A. Shorter  
Jeffrey S. Wiesenfeld

Cory Provost, ex officio

Manfred Philipp, ex officio (non-voting)

Frederick P. Schaffer, General Counsel and Senior Vice Chancellor for Legal Affairs  
Jay Hershenson, Secretary and Senior Vice Chancellor for University Relations  
Hourig Messerlian, Deputy to the Secretary of the Board

Chancellor Matthew Goldstein  
EVC and University Provost Alexandra Logue  
Executive Vice Chancellor and C.O.O. Allan H. Dobrin  
Interim Vice Chancellor Peter Jordan  
Vice Chancellor Pamela Silverblatt

Interim Senior Vice Chancellor Marc V. Shaw  
Vice Chancellor Gillian Small  
Vice Chancellor Gloriana Waters  
Vice Chancellor Iris Weinshall

The absence of Trustees Valerie Lancaster Beal, Freida D. Foster, and Sam A. Sutton was excused.

The Board went into Executive Session to discuss personnel matters.

Upon motion duly made, seconded and carried, the Executive Session was adjourned at 5:58 P.M.

SECRETARY AND SENIOR VICE CHANCELLOR JAY HERSHENSON

